

Article - Health Occupations

[\[Previous\]](#)[\[Next\]](#)

§8-6A-15.

(a) If, during the review of an application for certification or investigation of an allegation brought against a certified nursing assistant or certified medication technician under this subtitle, the Board has reason to believe and objective evidence that the applicant, certified nursing assistant, or certified medication technician may cause harm to a person affected by the practice of the applicant, certified nursing assistant, or certified medication technician, the Board, on its own initiative, shall direct the applicant, certified nursing assistant, or certified medication technician to submit to an appropriate examination by a health care provider designated by the Board.

(b) In return for the privilege to practice as a certified nursing assistant or certified medication technician in the State, an applicant, certified nursing assistant, or certified medication technician is deemed to have:

(1) Consented to submit to an examination under this section if requested by the Board in writing; and

(2) Waived any legal claim of privilege as to the testimony or examination reports of the examining health care provider.

(c) The failure or refusal of an applicant, certified nursing assistant, or certified medication technician to submit to an examination required under subsection (b) of this section is prima facie evidence of the inability of the applicant, certified nursing assistant, or certified medication technician to competently practice as a certified nursing assistant or certified medication technician, unless the Board finds that the failure or refusal was beyond the control of the applicant, certified nursing assistant, or certified medication technician.

(d) The Board shall pay the cost of any examination made in accordance with the provisions of this section.

[\[Previous\]](#)[\[Next\]](#)